

SIEMENS**FACSIMILE COVER SHEET**

In the UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

Inventor: Gordon Israelson

Applic No. 09/669,784

Filed: September 25, 2000

Title: Desulfurization For Fuel Cell Systems Using Sulphur Separating Membranes

Examiner: Dah-Wei D. Yuan

Art Unit: 1745

ATTN: Examiner Dah-Wei D. Yan

As we discussed this afternoon, I am resending this 13 page fax in hopes that the entire thing gets to you in one piece. It appears from the return receipts faxed to us from your office that the original fax pages may have been separated into two groups. Please call me if you have any questions.

Thank you

407-736-2472 Sandy Steunenberg

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES**

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

OFFICIAL**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on July 19, 2002.

FAX RECEIVED

Sandra J. Steunenberg

Sandra J. Steunenberg

Typed or printed name of person signing Certificate

JUN 19 2002

GROUP 1700

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

This facsimile cover sheet including a Certificate of Transmission under 37 CFR 1.8 (1 pg)

PTO/SB/21 Transmittal Form (1 pg)

PTO/SB/17 Fee Transmittal Form for FY 2002 (2 pgs - original + one copy)

PTO/SB/31 Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences (2 pgs - original + one copy)

Appellant's Brief (7 pgs)

The information contained in this facsimile message may contain attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us. Thank you.

Siemens CorporationLegal and Intellectual Property
Department4400 Alafaya Trail
Orlando Florida 32826Tel: 407-736-2472
FAX: 407-736-6440

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

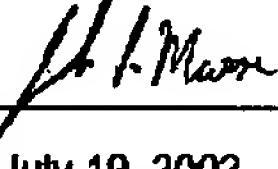
(to be used for all correspondence after initial filing)

		Application Number	09/669,784
		Filing Date	09/25/2000
		First Named Inventor	Gordon Israelson
		Group Art Unit	1745
		Examiner Name	Dah-Wei D. Yuan
Total Number of Pages in This Submission	13	Attorney Docket Number	00P7919US

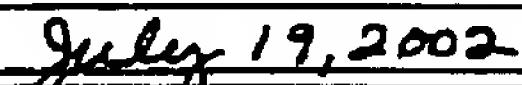
ENCLOSURES (check all that apply)

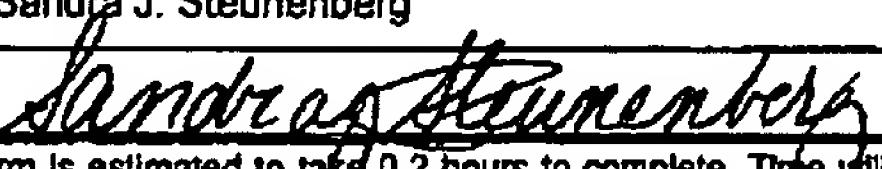
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
Remarks		
Both the 1) PTO/SB/31 Notice of Appeal (2 pgs - original + one copy) and; 2) Appellants Appeal Brief (7 pgs); are included in this submission.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	John P. Musone Reg. No. 44,961
Signature	
Date	July 19, 2002

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence, addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, is being transmitted via facsimile to the Patent and Trademark Office at 703-872-9311 on this date: 

Typed or printed name	Sandra J. Steinenberg		
Signature		Date	July 19, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

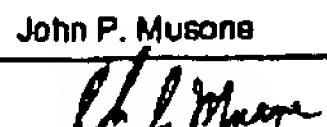
FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 640

Complete if Known	
Application Number	09/669,784
Filing Date	09/25/2000
First Named Inventor	Gordon Israelson
Examiner Name	Dah-Wei D. Yuan
Group / Art Unit	1745
Attorney Docket No.	00P7919US

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																						
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number <input type="text" value="19-2179"/> Deposit Account Name <input type="text" value="Siemens Westinghouse"/>				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>60</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td></tr> <tr><td>112</td><td>820*</td><td>112</td><td>820*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>65</td><td>Extension for reply within first month</td></tr> <tr><td>118</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>480</td><td>Extension for reply within third month</td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>65</td><td>Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>480</td><td>243</td><td>230</td><td>Design issue fee</td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>120</td><td>Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>148</td><td>740</td><td>248</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>178</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>169</td><td>800</td><td>169</td><td>800</td><td>Request for expedited examination of a design application</td></tr> <tr><td colspan="4">Other fee (specify)</td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3)</td> <td>(\$ 640</td> </tr> <tr> <td colspan="4">**or number previously paid, if greater; For Reissues, see above</td> <td colspan="2"></td> <td></td> </tr> </tbody> </table>				Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	127	60	227	25	Surcharge - late provisional filing fee or cover sheet	139	130	139	130	Non-English specification	147	2,520	147	2,520	For filing a request for reexamination	112	820*	112	820*	Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	115	110	215	65	Extension for reply within first month	118	400	216	200	Extension for reply within second month	117	920	217	480	Extension for reply within third month	118	1,440	218	720	Extension for reply within fourth month	128	1,960	228	980	Extension for reply within fifth month	119	320	219	160	Notice of Appeal	120	320	220	160	Filing a brief in support of an appeal	121	280	221	140	Request for oral hearing	138	1,510	138	1,510	Petition to institute a public use proceeding	140	110	240	65	Petition to revive - unavoidable	141	1,280	241	640	Petition to revive - unintentional	142	1,280	242	640	Utility issue fee (or reissue)	143	480	243	230	Design issue fee	144	620	244	310	Plant issue fee	122	130	122	120	Petitions to the Commissioner	123	50	123	50	Processing fee under 37 CFR 1.17 (q)	126	180	126	180	Submission of Information Disclosure Stmt	581	40	581	40	Recording each patent assignment per property (times number of properties)	148	740	248	370	Filing a submission after final rejection (37 CFR § 1.129(a))	149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	178	740	279	370	Request for Continued Examination (RCE)	169	800	169	800	Request for expedited examination of a design application	Other fee (specify)				*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)		(\$ 640	**or number previously paid, if greater; For Reissues, see above						
Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																						
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																						
127	60	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																						
139	130	139	130	Non-English specification																																																																																																																																																																						
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																						
112	820*	112	820*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																						
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																						
115	110	215	65	Extension for reply within first month																																																																																																																																																																						
118	400	216	200	Extension for reply within second month																																																																																																																																																																						
117	920	217	480	Extension for reply within third month																																																																																																																																																																						
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																																						
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																																						
119	320	219	160	Notice of Appeal																																																																																																																																																																						
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																						
121	280	221	140	Request for oral hearing																																																																																																																																																																						
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																						
140	110	240	65	Petition to revive - unavoidable																																																																																																																																																																						
141	1,280	241	640	Petition to revive - unintentional																																																																																																																																																																						
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																						
143	480	243	230	Design issue fee																																																																																																																																																																						
144	620	244	310	Plant issue fee																																																																																																																																																																						
122	130	122	120	Petitions to the Commissioner																																																																																																																																																																						
123	50	123	50	Processing fee under 37 CFR 1.17 (q)																																																																																																																																																																						
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																						
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																						
148	740	248	370	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																						
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																						
178	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																																						
169	800	169	800	Request for expedited examination of a design application																																																																																																																																																																						
Other fee (specify)																																																																																																																																																																										
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)		(\$ 640																																																																																																																																																																				
**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																										

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	John P. Musone	Registration No. Attorney/Agent	44,961	Telephone 407-736-6449
Signature			Date	July 19, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.